

PETITION FOR ZONING RE-CLASSIFICATION
AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Deer Park Associates, legal owner, of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an RC-4 zone to an RC-5 zone; for the following reasons:

1. Error in the classification of the subject property.
2. Substantial changes have occurred in the neighborhood so as to alter its character since the property was classified RC-4.
3. See attached memorandum.

and (2) for a Special Exception, under the said Zoning Regulations of Baltimore County, to use the herein described property for _____

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Partner
Deer Park Associates (General Partner-
Contract purchaser Legal Owner ship)
Address 3635 Old Court Road
Baltimore, Maryland 21208

Leslie M. Pittler, Petitioner's Attorney
102 W. Pennsylvania Ave.
Address Towson, Maryland 21204

Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 197____, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of _____, 197____, at _____ o'clock _____ M.

Zoning Commissioner of Baltimore County.

(over)

Rec'd 4-16-79
3:55 PM

1. INVENTORY OF EXISTING ENVIRONMENTAL CONDITIONS

AIR QUALITY

The site is sixteen miles northwest of the center of Baltimore City and five miles southeast of the paper mill in Finksburg. These are the closest sources of air pollution to the subject property with the exceptions of the farmland immediately adjacent on the east and south and about four miles to the west. Consequently, the air quality is quite good as the prevailing winds blow from west to east.

WATER QUALITY

The southern half of the property nearest Deer Park Road is located on high ground, well back and above the Liberty Reservoir amid land that is for the most part minimally developed. With this small amount of development in the area, it is anticipated that the water quality will be excellent.

WATER SUPPLY

The higher elevations of the site are in areas of Chester silt loam, Glenely loam and Manor loam. All three types are deep, well drained level to gently sloping soils weathered in place from such acid crystalline rock as mica schist. Available water capacity in all is moderate. A series of twelve wells in the vicinity of the site shows an average yield of 8 gallons per minute. This is more than adequate for domestic use.

MEMORANDUM

Reasons for submission of the accompanying Petition for Reclassification are as follows:

A. There has been substantial change in the neighborhood due to the increase in development, particularly housing development since this property has been classified in an RC-4 zoning classification by the County Council. This, in addition to the increased demand for housing in the area, necessitates a reclassification of the property to enable the property owners to construct as many homes on the property as the acreage in question will sustain.

B. To have this property classified as RC-4 by the County Council is in error in that the topography and houses that can be built under the RC-5 classification will allow sufficient lots to be utilized which in no way would necessitate the severe restrictions of an RC-4 classification. The need for an RC-4 classification is erroneous in that the intent of RC-4 classification is maintained in this case by an RC-5 reclassification.

C. The lots to be utilized under the reclassification are sufficiently removed from the high water mark of the reservoir to allow an RC-5 zoning classification.

D. The reclassification would better utilize the topography of the property.

E. An RC-4 classification would be an undue hardship on the Petitioner.

G. Other reasons to be stated at the hearing on this Petition.

DEER PARK ASSOCIATES PROPERTY
ENVIRONMENTAL EFFECTS REPORT
April, 1979

HUDKINS ASSOCIATES, INC.
101 Shell Building
200 East Joppa Road
Towson, Maryland 21204

HYDROLOGY

The site is subject to the type of climate and rainfall typical throughout Baltimore County. Average annual precipitation is between 40 and 44 inches and is relatively uniform throughout the year. The soil is well drained and contains ample water supply.

GEOLOGY

The subsoils on the site have been formed by in-place weathering and decomposition of such acid crystalline rocks as mica schist. The surface layer is loam and silt-loam 7-11 inches thick underlain by 15-22 inches of subsoil composed of silt-loam, clay-loam or micaceous loam. Underlying material is loam derived from disintegrated rock which in turn overlays bedrock at a depth of 5 to 10 feet.

SOILS

The soil of the higher elevations of the site is a deep, well drained soil eathered-in-place from the underlying acid crystalline rock most commonly mica schist. They display a remnant rock structure at depth and close to the underlying bedrock. They are moderately permeable and have a high available moisture capacity.

TOPOGRAPHY

The topography of the tract is high and gently sloping in the area adjacent to Deer Park Road. The northern part of the site falls off fairly sharply into well defined swales that eventually carry small streams and lead to Cocks Branch about a mile above high water of Liberty Lake.

VEGETATION

The site is clear of all trees on the upper, rolling areas and heavily wooded on the steeper slopes and in the swale areas. The cleared area is presently unfarmed and in grass.

WILDLIFE

Small wildlife inhabits the tract as do many species of birds. Deer in the vicinity use the tract for browse on occasion.

AQUATIC ORGANISMS

No known aquatic organisms are in evidence as streams arise only on the lower elevations of the site and are periodically dry.

ECOLOGY

The heavily grassed southern portion of the site has not been farmed for the past few years and is in the process of developing a heavy ground cover. This sun-fed growth provides cover and food for small game, deer and birds. The northern, steeply sloped area is covered with a forest 20 years old and older. Consequently, insufficient sunlight penetrates to maintain the low growth found on the southern portion, and only shade-tolerant low vegetation is evident.

DEMOGRAPHY

The site itself is totally undeveloped. Only three or four residences are located within 100 feet of the property while the remaining neighbors are spread out in large lot subdivisions 3000 feet to the west and on large tracts nearby.

LAND USE

The neighborhood consists of primarily residential and undeveloped land with a few small farms lying to the east and south adjacent to the site. There are no known active uses of the property.

- 5 -

AQUATIC ORGANISMS

As there are no aquatic organisms in evidence there can be no effect from the proposed development.

ECOLOGY

It is anticipated that a portion of the open area surrounding each house will be converted from natural grass to lawn. The houses near the wooded area will require only minimal clearing, if any, to allow for actual house construction. The total effect will be minimal as the great majority of the site will remain untouched. The northernmost half of the site will remain in its present state—that of a steeply sloped, heavily wooded tract with the sparse development occurring only on the higher, relatively flat and open elevations.

DEMOGRAPHY

Only 19 residences are proposed on the 95.8 acre \pm site. This will add only about 60 persons to the area over the 2 to 5 year period required to fully develop the site.

LAND USE

The land use will change from an undeveloped and partly wooded, partly open tract to a low density residential area on the upper elevations and almost totally untouched on the lower, steeply sloped and heavily wooded northern half of the site.

- 9 -

2. PROJECT DESCRIPTION

The project entails subdividing the tract into 19 residential lots with a minimum size of two acres. All lots will be accessed from Deer Park Road. One will front on Deer Park Road, while the remainder will be served by a new road entering from Deer Park Road and panhandles from that road. Average lot size is 5 acres.

The only work to be performed will be the grading of a widening strip for Deer Park Road, if required by Baltimore County; clearing, minor grading and paving for the cul-de-sac and panhandle drives and installation of whatever minor drainage facilities might be necessary. This construction will be performed only after installation of whatever sediment control measures are indicated.

It is anticipated that lots will be sold by the owner. Therefore, construction of houses, septic systems, wells and driveways will be by others at a subsequent time.

- 6 -

4. UNAVOIDABLE ADVERSE ENVIRONMENTAL IMPACT

Due to the relatively remote location of the site and the proposed low-density residential use, only minimal unavoidable adverse environmental impact will be experienced. The ground will be disturbed for the installation of the cul-de-sac and drains by the developer. It is expected that individual lot owners will build sporadically and not produce a combined effect. Ground water will be removed for domestic use and waste water replaced in the ground. Minor emissions from heating systems will be experienced during winter months.

5. MINIMIZATION OF IMPACT

Sediment control and storm water management measures will be taken to contain run off during and after construction as required. Proper installation of the septic systems and wells will prevent contamination of either ground water supplies or the Liberty Reservoir.

6. PROJECT ALTERNATIVES

The only alternatives to the total project are less dense development or no development. The proposed density is the same as the existing allowable density and was planned to make better use of the allowable density by "clustering" it on 2 acre minimum lots on the higher elevations where the geology and ecology will not be adversely affected. A less dense development would be economically unfeasible and would amount to a financial hardship.

- 10 -

3. ASSESSMENT OF PROBABLE IMPACT

AIR QUALITY

Air quality during the development phase will be diminished only during the grading operations but will return to normal upon stabilization of the graded areas. Insignificant permanent air quality lowering will occur due mainly to house heating systems. However, this will occur only during colder periods when there is generally sufficient wind to disperse such emissions, thus rendering the effects as insignificant.

WATER QUALITY

Because of the relative isolation of the site and water bearing capabilities of the soil, no reduction in water quality is anticipated. The soil is of such character as to not allow private sewage systems to contaminate ground water supplies.

WATER SUPPLY

The yield from nearby existing wells averages 8 gallons per minute. This is 4 times the minimum required flow and indicates that the water supply should not be appreciably affected by the proposed subdivision.

HYDROLOGY

Nothing will be done to the site as to affect rainfall, soil permeability or level of the water table.

- 7 -

CONCLUSIONS AND RECOMMENDATION

The subject tract has been planned as a large lot residential community in a relatively isolated location. Prime importance has been placed upon blending the development in with the natural amenities of the area. This has resulted in placing the large lot development on the higher, flatter elevations while leaving the steeper, heavily wooded northern 40-50 acre portion untouched and intact in a single tract rather than carving it up for houses, roads and septic systems. Care has therefore been taken to avoid any major disturbance of the site or interference with any off-site area both during and after construction.

A heavy growth of hardwoods on the entire north portion of the tract will remain intact and serve as a buffer between this community and the swales and streams leading to the Liberty Reservoir to the west. Paving and drainage construction will be kept to a minimum by judicious placement of the one public road and by joint use of driveways. Accepted practice of Baltimore County and the State of Maryland will be followed during construction to prevent sediment runoff and afterward to prevent excessive storm water discharge onto adverse property.

Available material has been reviewed as to soil types and their capabilities to support the proposed project. They indicate the suitability of the site for the proposed community in terms of water availability and capability of the soil to accept and filter domestic waste water.

In summation, it is concluded that there will be no adverse environmental effects resulting from development of the site as proposed, either on-site or to any adjacent or nearby properties including the reservoir.

- 11 -

GEOLOGY

No major excavation is anticipated. Minimum momentary disturbance only will be required to install the road and houses so that no change in geology is anticipated.

SOILS

Again, only a minimum disturbance of surface soil is anticipated, causing no appreciable effect on the soil.

TOPOGRAPHY

No construction is planned which will make any significant changes in the topography. The cul-de-sac will be placed essentially at grade for its entire length and cause nothing more than a minimal change in the contours.

VEGETATION

The only vegetation to be removed by the developer will be that required in order to build the cul-de-sac. The unpaved area within that right-of-way will be immediately revegetated. It is expected that the private owners will remove only the amount of growth required to allow for the construction of the house, driveway and septic system. It is further expected that these areas will be immediately replanted along with whatever amount of lawn will suit individual taste.

WILDLIFE

No mass exodus of wildlife is anticipated as only a portion of each lot need be disturbed and most of the northern portion of the site will remain untouched. There is ample neighborhood foliage to sustain the wildlife population.

- 8 -

COLUMBIA OFFICE
WALTER PARK
Registered Surveyor
PHONE 730-9060

TOWSON OFFICE
HUDKINS ASSOCIATES, INC.
Engineers, Surveyors and
Landscape Architects
200 EAST JOPPA ROAD
ROOM 101, SHELL BUILDING
TOWSON, MARYLAND 21204
PHONE: 828-9060

BEL AIR OFFICE
L. GERALD WOLFF
Landscape Architect
PHONE 838-0888

April 12, 1979

DESCRIPTION FOR RECLASSIFICATION:

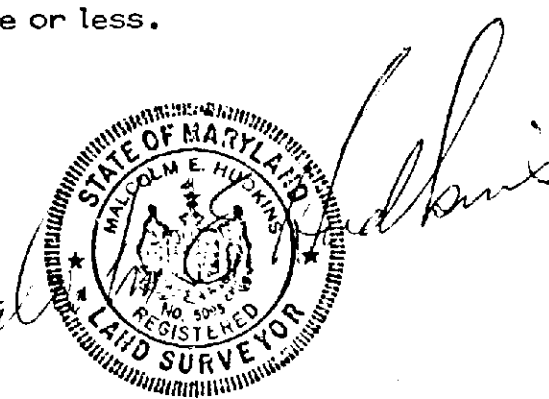
Beginning for the same at a point in the centerline of Deer Park Road said poing being distant southeasterly 1300 feet more or less from the centerline of Thompson Avenue thence binding on the centerline of said Deer Park Road two courses, (1) South 63 degrees 34 minutes 46 seconds East 231.48 feet (2) South 53 degrees 14 minutes 20 seconds East 93.07 feet thence leaving the centerline of said Deer Park Road North 30 degrees 42 minutes 10 seconds East 308.55 feet thence South 60 degrees 50 minutes 51 seconds East 112.31 feet thence North 11 degrees 56 minutes 09 seconds East 106.03 feet thence North 57 degrees 16 minutes 44 seconds East 168.46 feet thence South 72 degrees 07 minutes 53 seconds East 483.17 feet to the edge of a 15 foot road thence binding on the edge of said road North 80 degrees 33 minutes 51 seconds East 366.10 feet thence North 03 degrees 00 minutes 54 seconds East 2050.02 feet thence North 83 degrees 10 minutes 17 seconds West 233.08 feet thence North 72 degrees 20 minutes 31 seconds West 230.64 feet thence North 69 degrees 14 minutes West 107.25 feet thence North 88 degrees 25 minutes 18 seconds West 297.00 feet thence North 60 degrees 37 minutes 49 seconds West 831.26 feet thence South 32 degrees 53 minutes 10 seconds West 828.27 feet thence South 33 degrees 14 minutes 27 seconds East 164.85 feet thence South 11 degrees 11 minutes 12 seconds West 991.25 feet thence

Page 2

South 84 degrees 38 minutes 48 seconds East 662.27 feet thence
South 07 degrees 45 minutes 58 seconds East 142.01 feet thence
Sc. h 36 degrees 10 minutes 14 seconds West 439.92 feet thence
South 60 degrees 34 minutes 46 seconds East 265.20 feet thence
South 30 degrees 32 minutes 30 seconds West 305.90 feet to the place of beginning.

Containing 95.823 Acres of land more or less.

Malcolm E. Hudkins
Registered Surveyor #5095



RE: PETITION FOR RECLASSIFICATION : BEFORE THE COUNTY BOARD OF APPEALS
FROM R. C. 4 TO R. C. 5 ZONE
N/S of Deer Park Road, 1,300'
E of Thompson Avenue, 4th District : OF BALTIMORE COUNTY

DEER PARK ASSOCIATES, Petitioner : Case No. R-80-68

ORDER TO ENTER APPEARANCE

To the Honorable, Members of Said Board:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Deputy People's Counsel

John W. Hession, III
People's Counsel for Baltimore County
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 2nd day of October, 1979, a copy of the foregoing Order was mailed to Leslie M. Pittler, Esquire, 102 W. Pennsylvania Avenue, Towson, Maryland 21204, Attorney for Petitioner.

John W. Hession, III

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

RE: PETITION FOR RECLASSIFICATION : BEFORE
from R. C. 4 to R. C. 5 Zone : COUNTY BOARD OF APPEALS
N/S of Deer Park Road, 1300' :
E of Thompson Avenue, : OF
4th District : BALTIMORE COUNTY
Deer Park Associates, :
Petitioner : No. R-80-68

ORDER OF DISMISSAL

Petition of Deer Park Associates for Reclassification from R. C. 4 to R. C. 5 Zone on property located on the north side of Deer Park Road, 1300 feet east of Thompson Avenue, in the Fourth Election District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of a Letter of Withdrawal of Petition filed December 10, 1979, (a copy of which is attached hereto and made a part hereof) from the attorney representing the Petitioner in the above entitled matter.

WHEREAS, the said attorney for the said Petitioner requests that the petition filed on behalf of said Petitioner be dismissed and withdrawn as of December 10, 1979.

IT IS HEREBY ORDERED this 12th day of December, 1979, that said petition be and the same is DISMISSED.

COUNTY BOARD OF APPEALS OF
BALTIMORE COUNTY

Walter A. Reiter, Jr., Chairman

Patricia Millhouser

John A. Miller

Leslie M. Pittler, Esquire
102 W. Pennsylvania Avenue
Towson, Maryland 21204

cc: Hudkins Associates, Inc.
101 Shell Building
200 East Joppa Road
Towson, Maryland 21204

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Ave.
Towson, Maryland 21204

Your Petition has been received and accepted for filing
this 16th day of May 5, 1979.

ERIC DI NENNA
Zoning Commissioner

Petitioner Deer Park Assoc.
Petitioner's Attorney Pittler

Reviewed by Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 16, 1979

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Leslie M. Pittler, Esquire
102 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Item No. 3 - Cycle V
Petitioner - Deer Park Assoc.
Reclassification Petition

Dear Mr. Pittler:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on-site field inspection of the property. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Because of your client's proposal to reclassify the subject property, which consists of 95.823 acres, from R. C. 4 to R. C. 5, this hearing is required. As a result of Section 1A03.2A of the Baltimore County Zoning Regulations, I have forwarded a copy of the "Environmental Effects Report", submitted with this petition, to Mr. Paul J. Solomon, Comprehensive Planning, for his review and comments. Enclosed is a copy of his report, which will be incorporated as part of this file.

After reviewing the aforementioned Section and subsequent conversation with Mr. Solomon, it is obvious that Cooks Branch, which traverses the northernmost portion of this site, is a second order stream. Since this is the case, and coupled with this Section, the area described by your petition should have omitted all land 200 feet from said stream and any other first or third order stream, which may traverse this property. Because this was not done, the petition should be amended at the time of the scheduled hearing.

JA OFFICES
Leslie M. Pittler
SUITE 104
ALEX BROWN BUILDING
102 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(301) 796-2220

December 6, 1979

County Board of Appeals
Room 218, Court House
Towson, Maryland 21204

Re: Deer Park Associates
Reclassification from RC-4 to RC-5
N/S Deer Park Road, 1300' E of
Thompson Avenue

Gentlemen:

Please be advised that at the request of the Petitioner we are withdrawing our Petition pertaining to the above captioned matter.

Very truly yours,

Leslie M. Pittler

LMP:pg

RECEIVED
BALTIMORE COUNTY
DEC 10 12 51 PM '79
COUNTY BOARD
OF APPEALS
BY:

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BALTIMORE COUNTY
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COUNTY BOARD
OF APPEALS
BY:

FEB 1 1980

Item No. 3 - Deer Park Assoc.
Page Two
May 16, 1979

Because the proposed use of the subject property was not indicated on the submitted site plan, it is impossible for this Committee to make detailed comments concerning this petition. If said petition is granted, it should be emphasized that all applicable Baltimore County requirements must be satisfied. In keeping with this and prior to application for the necessary building permits, your surveyor should submit a preliminary plan of the proposed development to be reviewed by this Committee. In addition, all revised site plans must be signed and sealed by your surveyor.

This petition for Reclassification will be accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be between September 1, 1979 and December 31, 1979, will be forwarded to you well in advance.

Very truly yours,

NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC/sf

cc: Hudkins Associates, Inc.
101 Shell Building
200 East Joppa Road
Towson, Maryland 21204

BALTIMORE COUNTY, MARYLAND

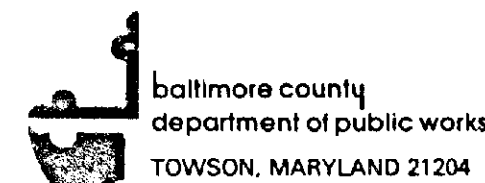
INTER-OFFICE CORRESPONDENCE

NICHOLAS B. COMMODARI, Chairman
TO: Zoning Plans Advisory Committee Date: May 8, 1979
PAUL J. SOLOMON, Chief
FROM: Environmental Planning Sec.
Response to Reclassification Request
SUBJECT: from Deer Park Associates

I am writing in response to your memo of April 19, 1979 in which you requested comments regarding our review of the environmental effects report done for the Deer Park Association Property.

This environmental effects report does not demonstrate that the proposed reclassification will not impair the water quality within its watershed. This conclusion is based on the following considerations:

1. The petitioner has not submitted a site plan for the proposed development. Without the kind of detail such as streets, etc. which are part of such a site plan, it is difficult to assess the impact of the development on water quality.
2. The petitioner although he has submitted a topographical map has failed to analyze the effects of the steep, wooded slopes on the northern portion of the property on water quality. In fact, the petitioner should have specified the exact percent of slopes on the property.
3. The petitioner does acknowledge that a large portion of the property is heavily wooded on the steeper slopes, but fails to show the impact of any development in this area of the site on water quality.
4. The petitioner failed to indicate sediment control measures, runoff control devices, points of runoff discharge and the effects of land clearing as it relates to lot development and use and road development. All these factors are important in assessing the impact of the development on water quality.
5. The petitioner indicates that soil permeability will not be affected, yet the development of major improvements on the tract such as roads and the development of individual lots will certainly diminish the degree of water permeability of the tract.
6. The petitioner indicates that "it is expected that the private owners of the lots will remove only the amount of growth required to allow for construction of the house ...". Yet, there is no basis for this assurance. It may very well be that at least in some cases



THORNTON M. MONTGOMERY, P.E.
DIRECTOR

May 2, 1979

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #3 (Cycle V-April - October 1979)
Property Owner: Deer Park Associates
N/S Deer Park Rd. 1300' E. Thompson Ave.
Existing Zoning: RC 4
Proposed Zoning: RC 5
Acres: 95.823 District: 4th

Dear Mr. DiNenna:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Deer Park Road, an existing public road, is proposed to be improved in the future as a 50-foot closed section roadway on a 70-foot right-of-way. Highway right-of-way widening, including any necessary reversible easements for slopes, will be required in connection with any grading or building permit application.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

In accordance with the drainage policy, the Petitioner is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall.

Nicholas B. Commodari, Chairman
Page 2

May 8, 1979

entire lots will be cleared of vegetation exposing soils which are highly prone to erosion and sedimentation. All of these potential problems could have a serious impact on the water quality of nearby streams which flow directly into Liberty Reservoir.

7. The petitioners summation which in part states that there will be no adverse environmental effect on nearby property including the reservoir is unfounded. The study and analysis done by the petitioner is not adequate to show that there will not be an adverse effect on the reservoir or its tributaries as they relate to the subject site.

A particular problem involved here is that the developer claims he will not utilize the full density allowed by a reclassification from RC-4 to RC-5 zoning classification. However, the petitioner could develop the tract into 47 lots with an RC-5 classification. Given the serious physical limitations of this site due to its slope, if the developer subdivided the tract into the allowable number of lots, it is quite likely that significant water quality would result, which would affect Liberty Reservoir.

PJS:vh

Paul J. Solomon
PAUL J. SOLOMON, Chief
Environmental Planning Sec.

Item #3 (Cycle V-April - October 1979)
Property Owner: Deer Park Associates
Page 2
May 2, 1979

Storm Drains: (Cont'd)

Open stream drainage requires a drainage reservation or easement of sufficient width to cover the flood plain of a 100-year design storm. However, a minimum width of 50 feet is required.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are not available to serve this property, which is beyond the Baltimore County Metropolitan District and the Urban-Rural Demarcation Line. Baltimore County Water and Sewerage Plans W-15B and S-15B, as amended, respectively indicate "No Planned Service" in the area.

Very truly yours,

Ellsworth N. Diver, P.E.
Chief, Bureau of Engineering

END:EAM:EWR:ss

cc: J. Trimmer
D. Grinn

Y-SE Key Sheet
48-51 NW 44 & 45 Pos. Sheets
NW 12 & 13 L Topo
57 Tax Map

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. Paul J. Solomon
TO: Environmental Planner Date: April 19, 1979
Nicholas B. Commodari
FROM: Chairman, Zoning Plans Advisory Committee
Reclassification Request
SUBJECT: From R.C. 4 to R.C. 5

Attached is a copy of an Environmental Effects Report that was filed with this office as part of a reclassification request in the current Zoning Cycle. The property owners are Deer Park Associates and the property is located on the north side of Deer Park Road approximately 1300 feet east of Thompson Avenue and contains 95.823 acres.

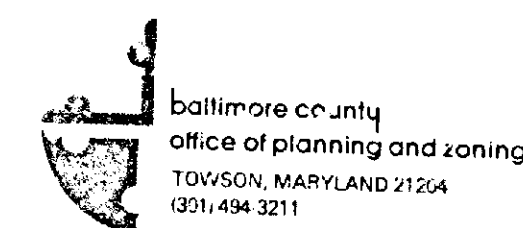
In order to determine whether this report complies with Section 1A03.2A of the Zoning Regulations, I am requesting that your office review said report and respond in writing prior to Wednesday, April 25, 1979.

NICHOLAS B. COMMODARI
Chairman, Zoning Plans Advisory Committee

NBC/jll

cc: Mr. James Dyer, Zoning Supervisor

Enclosure



LESLIE H. GAZOFF
DIRECTOR

May 29, 1979

Mr. Walter A. Reiter, Jr., Chairman
Board of Appeals
Room 219 - Court House
Towson, Maryland 21204

Dear Mr. Reiter:

Comments on Item #3, Zoning Cycle, V, April 1979, are as follows:

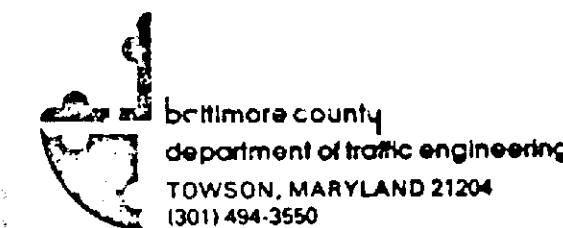
Property Owner: Deer Park Associates
Location: N/S Deer Park Road 1300' E. Thompson Avenue
Existing Zoning: RC-4
Proposed Zoning: RC-5
Acres: 95.823
District: 4th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

The petitioner must comply with the Baltimore County Subdivision Regulations if the petition is granted.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Development



STEPHEN E. COLLINS
DIRECTOR

May 3, 1979

Mr. Walter A. Reiter, Jr.
Chairman, Board of Appeals
Court House
Towson, Maryland 21204

Item No. 3 - ZAC - Cycle V
Property Owner: Deer Park Associates
Location: N/S Deer Park Rd. 1300' E Thompson Ave.
Existing Zoning: R.C. 4
Proposed Zoning: R.C. 5

Acres: 95.823
District: 4th

Dear Mr. Reiter:

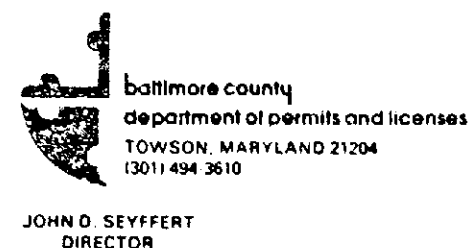
The existing R.C. 4 zoning can be expected to generate approximately 25 trips per day and the requested R.C. 5 zoning can be expected to generate 600 trips per day.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Engineer Associate II

MSF/hmd

MSF/hmd



baltimore county
department of permits and licenses
TOWSON, MARYLAND 21204
(301) 494-3610

JOHN D. SEYFERT
DIRECTOR

April 24, 1979

Mr. S. Eric DiNenna, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item # 3 Zoning Advisory Committee Meeting, Cycle V
are as follows:

Property Owner: Deer Park Associates
Location: N/S Deer Park Road 1300' E. Thompson Ave.
Existing Zoning: R.C. 4
Proposed Zoning: R.C. 5

Acres: 95.823
District: 4th

The items checked below are applicable:

X A. All proposed structures shall conform to Baltimore County Building Code (B.O.C.A.) 1970 Edition and the 1971 Supplement, State of Maryland for the Handicapped and aged and other applicable codes.

X B. A building permit shall be required before construction can begin.

X C. Additional miscellaneous permits shall be required.

D. Building shall be upgraded to new use - requires alteration permit.

E. Three sets of construction drawings will be required to file an application for a building permit.

X F. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.

G. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.

H. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

I. No Comment.

X J. Comments: ~~Comments~~ map provided does not reflect any proposed layout, proposed work will be commented on as submitted in the future.

Very truly yours,

Charles E. Surban
Charles E. Surban
Plans Review Chief

CEB:rrj



Paul H. Reincke
CHIEF

May 22, 1979

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Deer Park Associates

Location: N/S Deer Park Rd. 1300' E Thompson Ave.

Item No. 3 Zoning Agenda Cycle V

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ foot along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.

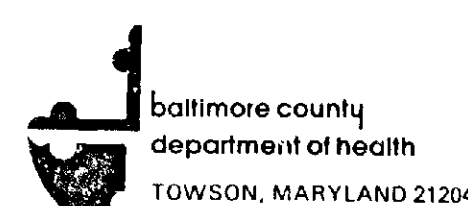
() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED *Ch. E. Surban* Method and *George M. W. W. W.*
Planning Group Approved: _____
Special Inspection Division Fire Prevention Bureau



DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

May 14, 1979

Mr. Walter Reiter, Chairman
Board of Appeals
Court House
Towson, Maryland 21204

Dear Mr. Reiter:

Comments on Item #3, Zoning Advisory Committee Meeting for Cycle V,
are as follows:

Property Owner: Deer Park Associates
Location: N/S Deer Park Rd. 1300' E Thompson Ave.
Existing Zoning: R.C. 4
Proposed Zoning: R.C. 5
Acres: 95.823
District: 4th

The Zoning Plan, as submitted, does not include enough information to enable the Baltimore County Department of Health to make complete comments.

Any proposed private sewage disposal systems and water wells must comply with all regulations set forth by Baltimore County Department of Health, Water Resources Administration and Maryland State Department of Health and Mental Hygiene.

Very truly yours,

Ian J. Forrest
Ian J. Forrest, Acting Director
BUREAU OF ENVIRONMENTAL SERVICES

IJE/JRP/fth

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: April 30, 1979

Mr. S. Eric DiNenna
Zoning Commissioner
Baltimore County Office Building
Towson, Maryland 21204

Z.A.C. Meeting of: Cycle V

RE: Item No. 3
Property Owner: Deer Park Associates
Location: N/S Deer Park Rd. 1300' E Thompson Ave.
Present Zoning: R.C. 4
Proposed Zoning: R.C. 5

District: 4th
No. Acres: 95.823

Dear Mr. DiNenna:

Schools servicing this area can accommodate any pupil yield from any planned development.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative

NWP/bp

JOSEPH N. MCGOWAN, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE PRESIDENT
MARCUS H. BUTTS, JR.

THOMAS H. BOYER
MR. LORRAINE F. CHURCH
ROGER E. HAYDEN

ALVIN LORICK
MRS. MILTON B. SMITH, JR.
RICHARD W. TRACY, D.V.M.

ROBERT F. SCULL, SUPERINTENDENT

ITEM NO. 3

PROPERTY OWNER: Deer Park Associates
LOCATION: N/S of Deer Park Road, 1,300' E. of Thompson Avenue
ELECTION DISTRICT: 4
COUNCILMANIC DISTRICT: 3
RECOMMENDED DATE OF HEARING: Week of September 10, 1979
ACREAGE: 95.8
GEOGRAPHICAL GROUP: None
FUNCTIONAL CATEGORY: None

ZONING PRIOR TO ADOPTION OF 1976 COMPREHENSIVE ZONING MAP: R.S.C.
EXISTING ZONING: R.C. 4
REQUESTED ZONING: R.C. 5

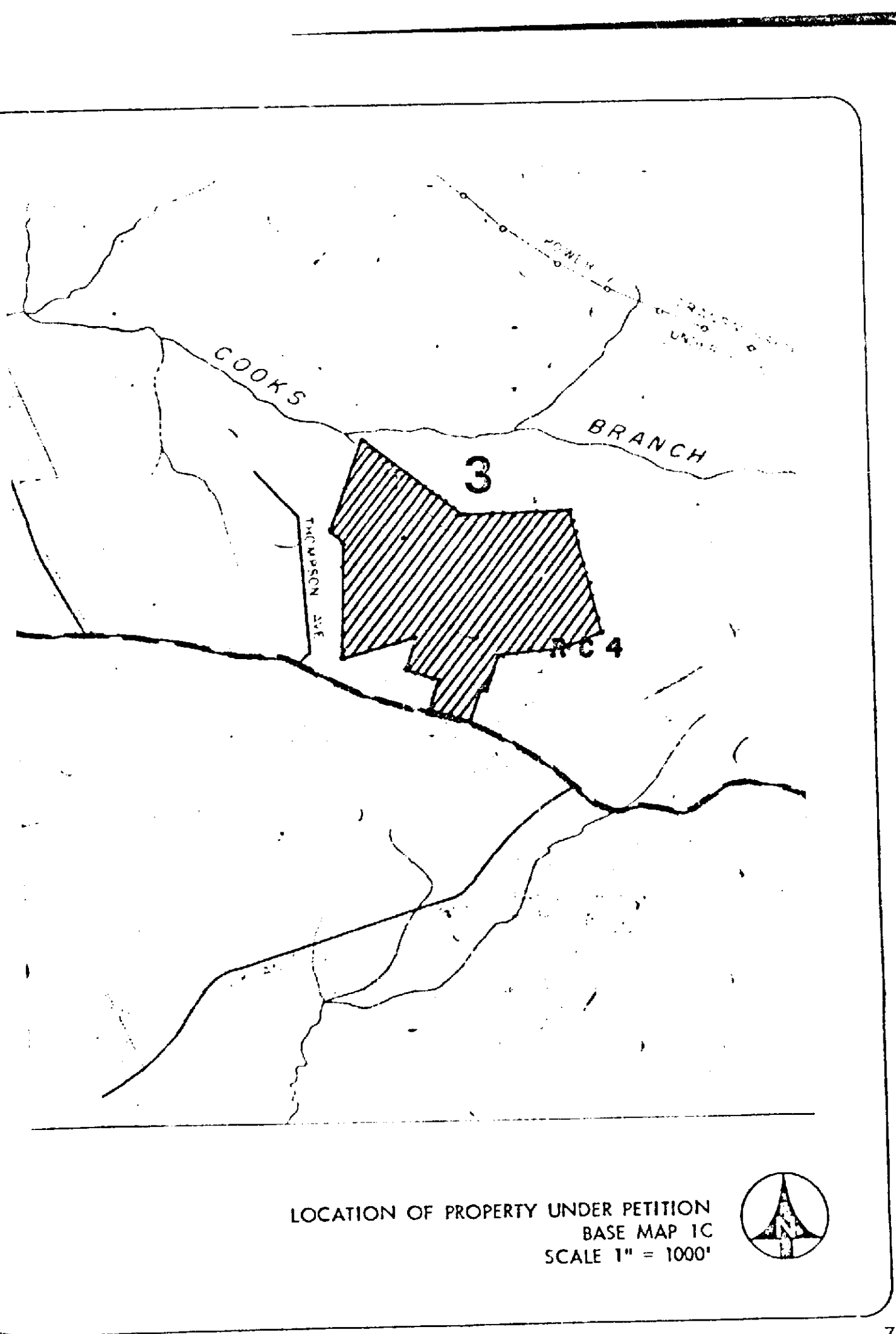
PLANNING BOARD RECOMMENDATION: Retain Existing Zoning (R.C. 4)

The subject property is located in the general vicinity of the Liberty Reservoir in western Baltimore County. Prior to the adoption of the 1976 Comprehensive Zoning Map, the subject property was zoned R.S.C. During the preparation and processing of the map, the zoning of this property was identified as an issue before both the Planning Board (III-193) and the County Council (3-193). The Planning Board recommended that the property be placed in the R.C. 4 zoning classification; the Council adopted the Board's recommendation.

It is the Planning Board's belief that the subject petition is not in compliance with Section 1A03.2 of the Baltimore County Zoning Regulations and, therefore, can not be accepted for hearing. The Board's opinion, in part, is based upon an evaluation of the memorandum from Paul J. Solomon, Chief of the Environmental Planning Section, to Nicholas B. Commodari, Chairman of the Zoning Plans Advisory Committee (See memorandum dated May 8, 1979, incorporated in the overall comments of the Baltimore County Zoning Plans Advisory Committee).

It should be noted that the Planning Board believes that the existing zoning is appropriate here and that the zoning map is correct.

It is therefore recommended that the existing zoning, R.C. 4, be retained.



LOCATION OF PROPERTY UNDER PETITION
BASE MAP 1C
SCALE 1" = 1000'

6101 Deer Park Road
Reisterstown, Maryland 21136

December 10, 1979

Court of Appeals
Old Court House Building
Towson, Maryland 21204

SUM: REZONING CASE BSO-68

Dear Sirs:

We are opposed to the rezoning of a large tract of land located on Deer Park Road. This land is currently classified as rural conservation. We feel this tract should not be mass developed as it would endanger the watershed of Liberty Dam. In addition, this area is not equipped to handle the increased population a development would bring. The roads are not equipped to handle the heavy road use which they already bear.

Cordially,

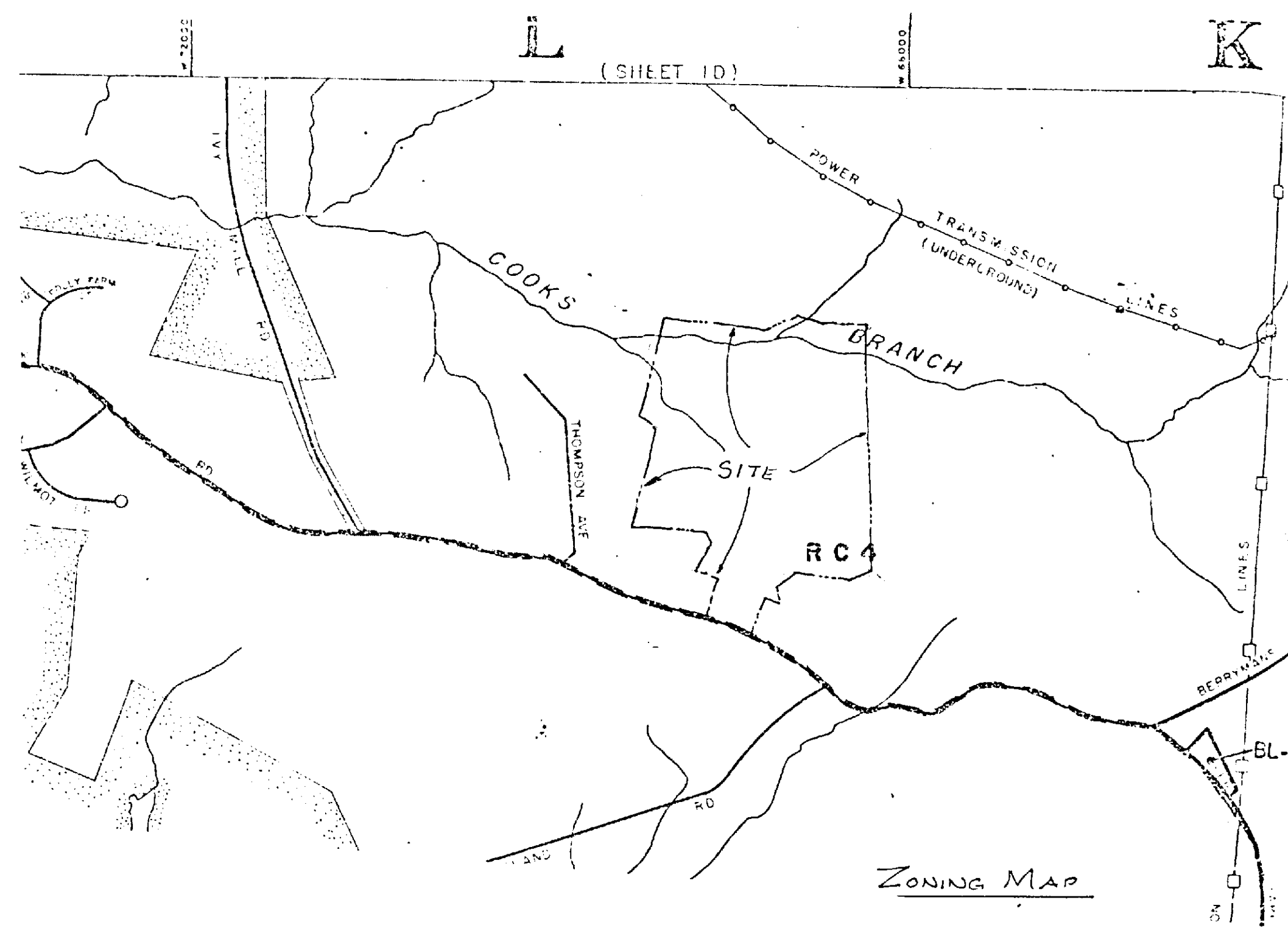
Mr. and Mrs. Ronald Sherran
Mr. and Mrs. Ronald Sherran

RECEIVED
BALTIMORE COUNTY
DEC 11 10 09 AM '79
BY: [Signature]
CF 4-20-80



PETITION FOR RECLASSIFICATION
 ZONING: Petition for Reclassification from R.C. 4 to R.C. 5
 LOCATION: North side of Deer Park Road, 1300 feet East of Thompson Avenue
 DATE & TIME: Tuesday, October 16, 1979 at 10:00 A.M.
 PUBLIC HEARING: Room 218, Courthouse, Towson, Md.

The County Board of Appeals for Baltimore County, by authority of the Baltimore County Charter will hold a public hearing.
 Present Zoning: R.C. 4
 Proposed Zoning: R.C. 5
 All that parcel of land in the Fourth District of Baltimore County beginning for the same at a point in the centerline of Deer Park Road said point being distant southeasterly 1300 feet more or less from the centerline of Thompson Avenue thence binding on the centerline of said Deer Park Road two courses, (1) South 63 degrees 34 minutes 40 seconds East 221.48 feet (2) South 53 degrees 14 minutes 30 seconds East 48.97 feet thence leaving the centerline of said Deer Park Road North 30 degrees 43 minutes 10 seconds East 39.55 feet thence South 69 degrees 50 minutes 51 seconds East 112.31 feet thence North 11 degrees 56 minutes 09 seconds East 168.08 feet thence North 87 degrees 16 minutes 44 seconds East 158.46 feet thence South 72 degrees 07 minutes 51 seconds East 48.17 feet to the edge of a 15 foot road thence binding on the edge of said road North 40 degrees 33 minutes 01 seconds East 366.10 feet thence North 61 degrees 06 minutes 51 seconds East 264.02 feet thence North 82 degrees 13 minutes 17 seconds East 232.48 feet thence North 72 degrees 20 minutes 31 seconds West 230.66 feet thence North 69 degrees 14 minutes West 107.25 feet thence North 88 degrees 23 minutes 18 seconds West 227.00 feet thence North 60 degrees 32 minutes 49 seconds West 631.28 feet thence South 33 degrees 53 minutes 10 seconds West 28.77 feet thence South 33 degrees 14 minutes 27 seconds East 164.82 feet thence South 11 degrees 11 minutes 13 seconds West 951.25 feet thence South 54 degrees 28 minutes 48 seconds East 662.27 feet thence 5.00 feet 07 degrees 15 minutes 58 seconds East 142.01 feet thence South 35 degrees 15 minutes 14 seconds West 439.92 feet thence South 60 degrees 14 minutes 46 seconds East 515.20 feet thence South 39 degrees 13 minutes 30 seconds West 308.81 feet to the place of beginning. Containing 95.52 Acres of land more or less.
 Being the property of Deer Park Associates, as shown on plat plan filed with the zoning department. Hearing Date: Tuesday, October 16, 1979 at 10:00 A.M.
 Public Hearing: Room 218, Courthouse, Towson, Md. 21204.
 By Order of
 WALTER A. REITER, JR., Chairman
 County Board of Appeals of Baltimore County
 Sept. 27.



CERTIFICATE OF PUBLICATION

TOWSON, MD. September 27, 1979
 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on the 27th day of October, 1979, the 27th day of September, 1979.

THE JEFFERSONIAN,
 L. Frank [Signature]
 Manager.

Cost of Advertisement, \$.

80-68-R

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 4
 Posted for: Reclassification
 Date of Posting: 10-1-79
 Petitioner: Deer Park Assoc.
 Location of property: 1300' E. of Thompson Ave.
 Location of Signs: front of property
 Remarks: [Signature]
 Posted by: Guy C. Friend
 Signature
 Date of return: 10-1-79

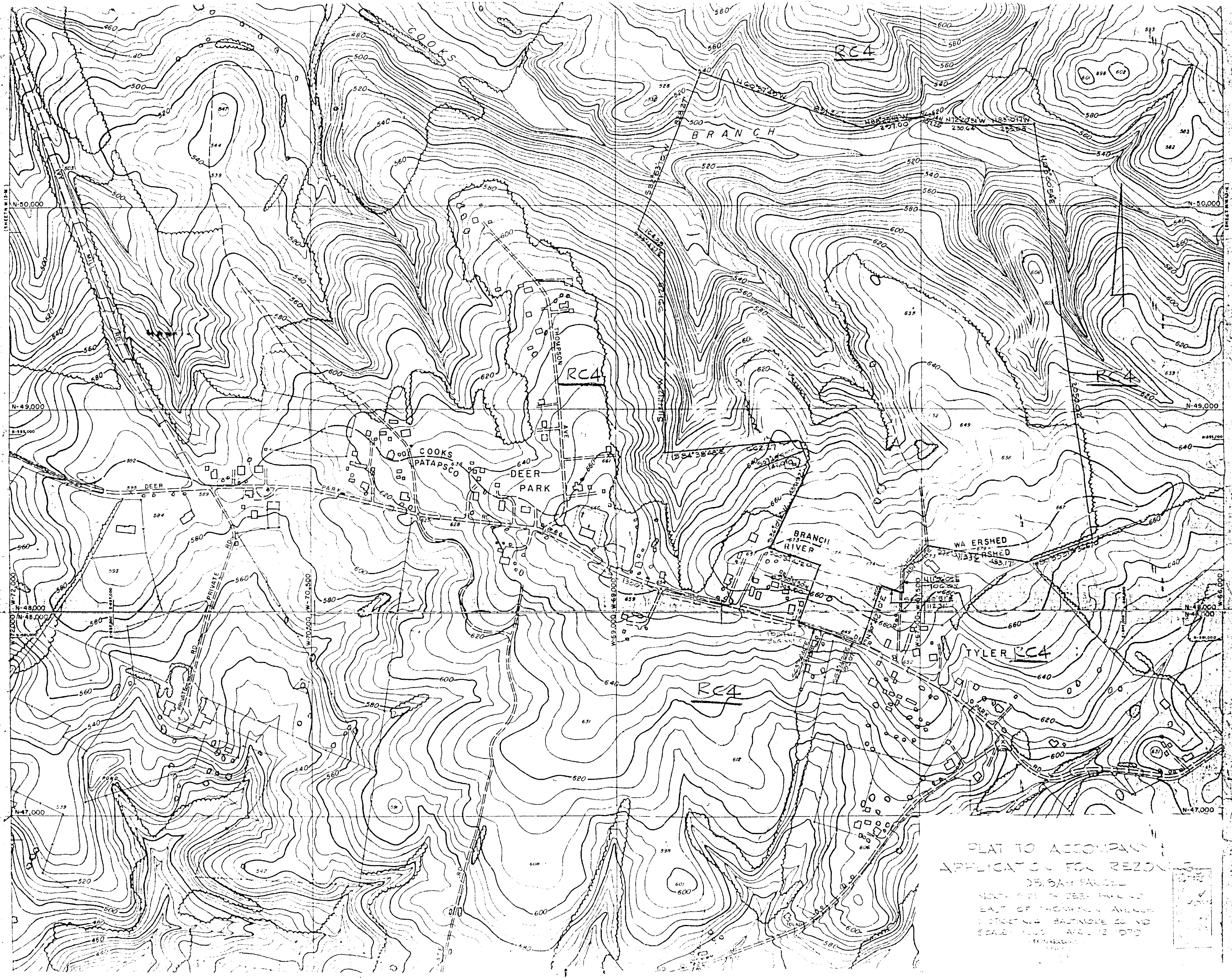
OFFICE OF
THE TIMES
 NEWSPAPERS
 TOWSON, MD. 21204 September 27 1979

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR RECLASSIFICATION - Deer Park Assoc. was inserted in the following:

- ☐ Catonsville Times
- ☐ Arbutus Times
- ☐ Essex Times
- ☒ Community Times
- ☐ Towson Times

weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the 28th day of September, 1979, that is to say, the same was inserted in the issues of September 27, 1979.

STROMBERG PUBLICATIONS, INC.
 BY: [Signature]



PLAT TO ACCOMPANY
APPLICATION FOR REZONING
DB, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000